

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
DANA N. DAVIS,

Plaintiff,

-against-

NANCY A. BERRYHILL, ACTING COMMISSIONER
OF SOCIAL SECURITY,

Defendant.

ANALISA TORRES, District Judge:

USDC SDNY
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17 Civ. 7052 (AT) (OTW)

**ORDER ADOPTING
REPORT AND
RECOMMENDATION**

On September 15, 2017, Plaintiff Dana N. Davis, filed this action pursuant to 42 U.S.C. § 405(g) challenging the final decision of Defendant, the Acting Commissioner of Social Security, to deny her Disability Insurance Benefits. ECF No. 1. On September 18, 2017, the Court referred the matter to the Honorable Andrew J. Peck. ECF No. 7. On March 5, 2018, the case was reassigned to the Honorable Ona T. Wang. On June 7, 2018, Plaintiff moved for a reversal of the Commissioner's decision or, in the alternative, a remand for further administrative proceeds. ECF Nos. 17, 18. On July 30, 2018, Defendant moved for judgment on the pleadings. ECF No. 21.

After careful consideration, on March 1, 2019, Judge Wang issued a Report and Recommendation ("R&R"), proposing that Plaintiff's motion for a remand be granted and Defendant's motion for judgment on the pleadings be denied. ECF No. 25. Despite notification of the right to object to the R&R, no objections were filed, and the time to do so has passed. *See* Fed. R. Civ. P. 72(b)(2). When no objection is made, the Court reviews the R&R for clear error. *Santiago v. Colvin*, 12 Civ. 7052, 2014 WL 1092967, at *1 (S.D.N.Y. Mar. 17, 2014). The Court finds no clear error. The Court, therefore, ADOPTS Judge Wang's R&R in its entirety. Accordingly, this case is remanded to the Social Security Administration for further proceedings pursuant to 42 U.S.C. § 405(g).

The Clerk of Court is directed to terminate the motions at ECF Nos. 17, 18, and 21, and close the case.

SO ORDERED.

Dated: March 18, 2019
New York, New York



ANALISA TORRES
United States District Judge